

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**DELTA ASPHALT, INC., and
SOUTHERN ILLINOIS ASPHALT
COMPANY, INC.,**

Plaintiffs,

v.

**TRAVELERS CASUALTY & SURETY
COMPANY,**

Defendant.

No. 05-CV-0543-DRH

ORDER

HERNDON, District Judge:

On May 1, 2006, Plaintiffs filed a stipulation of dismissal (Doc. 26) and on May 2, 2006, Defendant Travelers Casualty & Surety Company filed a dismissal with prejudice of counterclaim (Doc. 27). The stipulations state that the matter may be dismissed with prejudice with each party to bear their own costs. The Court **ACKNOWLEDGES** the stipulation of dismissals and **DISMISSES with prejudice** this cause of action. Further, the Court **DIRECTS** the Clerk of the Court to enter judgment reflecting the same.

IT IS SO ORDERED.

Signed this 3rd day of May, 2006.

/s/ _____ David RHerndon
United States District Judge